

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BETTY-JEAN BURNETT,

Plaintiff,

v.

WELLS FARGO BANK, N.A., et al.,

Defendants.

Case No.: 4:11-cv-06326-YGR

**ORDER DISMISSING PLAINTIFF'S COMPLAINT
AGAINST DEFENDANTS KEVIN A. HARRIS
AND HARRIS ROSALES & HARRIS FOR
FAILURE TO SERVE AND PROSECUTE ACTION**

On April 24, 2012, the Court issued an Order to Show Cause Why This Action Should Not Be Dismissed for Failure to Serve or Prosecute. (Dkt. No. 23.) The Order to Show Cause hearing was scheduled for June 8, 2012. In the Order to Show Cause, the Court stated that Plaintiff must file a written response and personally appear if she wished to further prosecute this action as to the remaining defendants, having failed to serve them within 120 days from the date the lawsuit was filed. The Court stated that: "Plaintiff's failure to file a written response or to appear personally will be deemed an admission that no good cause exists to continue prosecuting this action and the case will thereafter be dismissed." (Dkt. No. 23.)

Plaintiff did not appear at the hearing on June 8, 2012, nor did she file any written response to the Order to Show Cause. By these actions, Plaintiff has admitted that no good cause exists to continue with this action. For the foregoing reasons, this action is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

Dated: June 8, 2012


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE